

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

RAUL C. ZAPATA,

Plaintiff,

v.

No. CIV-06-0952 MCA/KBM

ATTORNEY SUSAN PORTER,
STATE OF NEW MEXICO
PUBLIC DEFENDERS OFFICE,

Defendants;

and

RAUL C. ZAPATA,

Plaintiff,

v.

No. CIV-06-1108 MCA/KBM

ATTORNEY RAUL LOPEZ,

Defendant.

MEMORANDUM OPINION AND ORDER

This matter is before the Court on Plaintiff's motion for relief from judgment (No. CIV-06-0952 MCA/KBM Doc. 15; No. CIV 06-1108 MCA/KBM Doc. 18) filed on January 30, 2008. The motion is captioned in two cases and seeks relief from orders that dismissed Plaintiff's complaints.

In cause No. CIV 06-0952 MCA/KBM, the Court entered judgment dismissing Plaintiff's complaint on November 6, 2006. In cause No. CIV 06-1108 MCA/KBM, the Court entered judgment dismissing the complaint on December 22, 2006. Plaintiff filed notices of appeal in both cases. On October 24, 2007, the Court of Appeals for the Tenth Circuit affirmed both dismissals

in a single order. *See Zapata v. Public Defender's Office*, No. 06-2334, 2007 WL 3104864, at *3 (10th Cir. Oct. 24, 2007).

No relief is available on Plaintiff's motion. "Following appellate disposition, . . . the judgment is no longer subject to district court amendment beyond the ministerial dictates of the mandate, which encompasses the full scope of jurisdictional power granted to the district court on remand." *Colorado Interstate Gas Co. v. Natural Gas Pipeline Co. of America*, 962 F.2d 1528, 1534 (10th Cir. 1992). Here, the Court of Appeals affirmed both of this Court's judgments and issued no ministerial dictates. The Court will deny the motion.

IT IS THEREFORE ORDERED that Plaintiff's motion for relief from judgment (No. CIV-06-0952 MCA/KBM Doc. 15; No. CIV 06-1108 MCA/KBM Doc. 18) filed on January 30, 2008, is DENIED;

IT IS FURTHER ORDERED that Plaintiff is ENJOINED from making further filings without prior Court approval in the captioned cases, except for a notice of appeal; and the Clerk is directed to return without filing any further submissions from Plaintiff in these cases, except for a notice of appeal, unless Plaintiff receives prior Court approval for a filing.

SO ORDERED this 11th day of February, 2008.



M. CHRISTINA ARMIJO
UNITED STATES DISTRICT JUDGE